EPA

ACKNOWLEDGEMENT OF NOTIFICATION OF HAZARDOUS WASTE ACTIVITY
(VERIFICATION)

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act *(RCRA)*. Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER ➤ *NJ0000526525

U. S. METAL REFINING COMPANY
400 MIDDLESEX AVENUE
CARTERET, NJ 07008

INSTALLATION ADDRESS ➤ 400 MIDDLESEX AVENUE
CARTERET, NJ 07008

EPA Form 8700-12B (4-80)

10/09/80

Please print or type with ELITE type *(12 characters/inch)* in the unshaded areas only.

Form Approved OMB No. 158-S79016
GSA No. 0246-EPA-OT

EPA U.S. ENVIRONMENTAL PROTECTION AGENCY

NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

INSTRUCTIONS: If you received a preprinted label, affix it in the space at left. If any of the information on the label is incorrect, draw a line through it and supply the correct information in the appropriate section below. If the label is complete and correct, leave Items I, II, and III below blank. If you did not receive a preprinted label, complete all items. "Installation" means a single site where hazardous waste is generated, treated, stored and/or disposed of, or a transporter's principal place of business. Please refer to the INSTRUCTIONS FOR FILING NOTIFICATION before completing this form. The information requested herein is required by law *(Section 3010 of the Resource Conservation and Recovery Act).*

INSTALLATION'S EPA I.D. NO.	NJD000526525
I. NAME OF INSTALLATION	U. S. METAL REFINING COMPANY
II. INSTALLATION MAILING ADDRESS	400 MIDDLESEX AVENUE CARTERET, NJ 07008
III. LOCATION OF INSTALLATION	400 MIDDLESEX AVENUE CARTERET, NJ 07008

DETACH

FOR OFFICIAL USE ONLY

COMMENTS: C

INSTALLATION'S EPA I.D. NUMBER	APPROVED	DATE RECEIVED (yr., mo., & day)
S F NJD000526525 T/A 3 C 1		800805

I. NAME OF INSTALLATION

II. INSTALLATION MAILING ADDRESS

STREET OR P.O. BOX: C 3

CITY OR TOWN: C 4 | ST. | ZIP CODE

III. LOCATION OF INSTALLATION

STREET OR ROUTE NUMBER: C 5

CITY OR TOWN: C 6 | ST. | ZIP CODE

IV. INSTALLATION CONTACT

NAME AND TITLE *(last, first, & job title)*: C 2 FILIACI A DIRECTOR ENV. CONTROL | PHONE NO. *(area code & no.)*: 201-541-4141

V. OWNERSHIP

DETACH

A. NAME OF INSTALLATION'S LEGAL OWNER: C 8 U.S. METALS REFINING COMPANY

B. TYPE OF OWNERSHIP *(enter the appropriate letter into box)*: M

F = FEDERAL
M = NON–FEDERAL

VI. TYPE OF HAZARDOUS WASTE ACTIVITY *(enter "X" in the appropriate box(es))*

- [X] A. GENERATION
- [ ] B. TRANSPORTATION *(complete item VII)*
- [X] C. TREAT/STORE/DISPOSE
- [ ] D. UNDERGROUND INJECTION

VII. MODE OF TRANSPORTATION *(transporters only – enter "X" in the appropriate box(es))*

- [ ] A. AIR
- [ ] B. RAIL
- [ ] C. HIGHWAY
- [ ] D. WATER
- [ ] E. OTHER *(specify)*:

VIII. FIRST OR SUBSEQUENT NOTIFICATION

Mark "X" in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification. If this is not your first notification, enter your Installation's EPA I.D. Number in the space provided below.

- [X] A. FIRST NOTIFICATION
- [ ] B. SUBSEQUENT NOTIFICATION *(complete item C)*

C. INSTALLATION'S EPA I.D. NO.:

IX. DESCRIPTION OF HAZARDOUS WASTES

Please go to the reverse of this form and provide the requested information.

CONTINUE ON REVERSE

I.D. – FOR OFFICIAL USE ONLY

S												T/A	C
W	N	J	D	0	0	5	2	6	5	2	5	2	1
1	2										13	14	15

IX. DESCRIPTION OF HAZARDOUS WASTES *(continued from front)*

A. HAZARDOUS WASTES FROM NON–SPECIFIC SOURCES. Enter the four–digit number from 40 CFR Part 261.31 for each listed hazardous waste from non–specific sources your installation handles. Use additional sheets if necessary.

1	2	3	4	5	6
7	8	9	10	11	12

B. HAZARDOUS WASTES FROM SPECIFIC SOURCES. Enter the four–digit number from 40 CFR Part 261.32 for each listed hazardous waste from specific industrial sources your installation handles. Use additional sheets if necessary.

13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

C. COMMERCIAL CHEMICAL PRODUCT HAZARDOUS WASTES. Enter the four–digit number from 40 CFR Part 261.33 for each chemical substance your installation handles which may be a hazardous waste. Use additional sheets if necessary.

31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48

D. LISTED INFECTIOUS WASTES. Enter the four–digit number from 40 CFR Part 261.34 for each listed hazardous waste from hospitals, veterinary hospitals, medical and research laboratories your installation handles. Use additional sheets if necessary.

49	50	51	52	53	54

E. CHARACTERISTICS OF NON–LISTED HAZARDOUS WASTES. Mark "X" in the boxes corresponding to the characteristics of non–listed hazardous wastes your installation handles. *(See 40 CFR Parts 261.21 – 261.24.)*

☐ 1. IGNITABLE (D001) ☒ 2. CORROSIVE (D002) ✓ ☐ 3. REACTIVE (D003) ☒ 4. TOXIC (D000) ✓

X. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

SIGNATURE	NAME & OFFICIAL TITLE *(type or print)*	DATE SIGNED
R N Brown	ROBERT N. BROWN, PRESIDENT	8/4/80

EPA Form 8700-12 (6-80) REVERSE

RP

ap

Please print or type in the unshaded areas only
(fill—in areas are spaced for elite type, i.e., 12 characters/inch).

Form Approved OMB No. 158-R0175

FORM 1 GENERAL

EPA

U.S. ENVIRONMENTAL PROTECTION AGENCY

GENERAL INFORMATION

Consolidated Permits Program

(Read the "General Instructions" before starting.)

I. EPA I.D. NUMBER: F NJD000526525 3 D

LABEL ITEMS

I. EPA I.D. NUMBER

III. FACILITY NAME

V. FACILITY MAILING ADDRESS

VI. FACILITY LOCATION

NJD000526525

U.S. ~~METAL REFINING COMPANY~~
400 ~~MIDDLESEX AVENUE~~
~~CARTERET, NJ 07008~~

400 ~~MIDDLESEX AVENUE~~
~~CARTERET, NJ 07008~~

GENERAL INSTRUCTIONS

If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill—in area below. Also, if any of the preprinted data is absent *(the area to the left of the label space lists the information that should appear)*, please provide it in the proper fill—in area(s) below. If the label is complete and correct, you need not complete Items I, III, V, and VI *(except VI-B which must be completed regardless)*. Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.

II. POLLUTANT CHARACTERISTICS

INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold—faced terms.

SPECIFIC QUESTIONS	MARK 'X' YES	NO	FORM ATTACHED
A. Is this facility a **publicly owned treatment works** which results in a **discharge** to **waters of the U.S.**? (FORM 2A)		X	
B. Does or will this facility *(either existing or proposed)* include a **concentrated animal feeding operation** or **aquatic animal production facility** which results in a **discharge** to **waters of the U.S.**? (FORM 2B)		X	
C. Is this a facility which currently results in **discharges** to **waters of the U.S.** other than those described in A or B above? (FORM 2C)	X		
D. Is this a proposed facility *(other than those described in A or B above)* which will result in a **discharge** to **waters of the U.S.**? (FORM 2D)		X	
E. Does or will this facility treat, store, or dispose of **hazardous wastes**? (FORM 3)	X		
F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		X	
H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		X	
I. Is this facility a proposed **stationary source** which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an **attainment area**? (FORM 5)		X	
J. Is this facility a proposed **stationary source** which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an **attainment area**? (FORM 5)		X	

III. NAME OF FACILITY

1 SKIP: US METAL REFINING COMPANY

IV. FACILITY CONTACT

A. NAME & TITLE *(last, first, & title)*	B. PHONE *(area code & no.)*		
2 FILIACI A. DIRECTOR ENV. CONTROL	201	541	4141

V. FACILITY MAILING ADDRESS

A. STREET OR P.O. BOX: 3 400 MIDDLESEX AVENUE

B. CITY OR TOWN	C. STATE	D. ZIP CODE
4 CARTERET	NJ	07008

VI. FACILITY LOCATION

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER: 5 400 MIDDLESEX AVENUE

B. COUNTY NAME: MIDDLESEX

C. CITY OR TOWN	D. STATE	E. ZIP CODE	F. COUNTY CODE *(if known)*
6 CARTERET	NJ	07008	

EPA Form 3510-1 (6-80)

CONTINUE ON REVERSE

CONTINUED FROM THE FRONT

VII. SIC CODES (4-digit, in order of priority)

A. FIRST	B. SECOND
3341 (specify) Copper smelting and refining, secondary	3341 (specify) Precious metals smelting and refining, secondary

C. THIRD	D. FOURTH
(specify)	(specify)

VIII. OPERATOR INFORMATION

A. NAME: U.S. METALS REFINING CO.

B. Is the name listed in Item VIII-A also the owner? [X] YES [ ] NO

C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box; if "Other", specify.)
F = FEDERAL, S = STATE, P = PRIVATE, M = PUBLIC (other than federal or state), O = OTHER (specify)
P (specify)

D. PHONE (area code & no.): A 201 541 4141

E. STREET OR P.O. BOX: 400 MIDDLESEX AVE.

F. CITY OR TOWN: CARTERET | G. STATE: NJ | H. ZIP CODE: 07008

IX. INDIAN LAND

Is the facility located on Indian lands? [ ] YES [X] NO

X. EXISTING ENVIRONMENTAL PERMITS

A. NPDES (Discharges to Surface Water)	D. PSD (Air Emissions from Proposed Sources)
N NJ0001899	P

B. UIC (Underground Injection of Fluids)	E. OTHER (specify)
U	30332 (specify) NJ DEP See attached list.

C. RCRA (Hazardous Wastes)	E. OTHER (specify)
R	19194 (specify) NJ DEP.

XI. MAP

Attach to this application a topographic map of the area extending to at least one mile beyond property bounderies. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in the map area. See instructions for precise requirements. F9: A 50

XII. NATURE OF BUSINESS (provide a brief description)

Secondary copper smelter and refinery. Also secondary refiner of precious metals scrap and slimes. Products produced include copper wirebars, ingots, OFHC products, gold and silver bars, platinum group products.

F9: A 51

XIII. CERTIFICATION (see instructions)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE (type or print)	B. SIGNATURE	C. DATE SIGNED
R. N. BROWN, President	R N Brown	11/12/80

COMMENTS FOR OFFICIAL USE ONLY: C

Please print or type in the unshaded areas only
(fill-in areas are spaced for elite type, i.e., 12 characters/inch).

Form Approved OMB No. 158-S80004

FORM 3 RCRA

EPA

U.S. ENVIRONMENTAL PROTECTION AGENCY

HAZARDOUS WASTE PERMIT APPLICATION

Consolidated Permits Program

(This information is required under Section 3005 of RCRA.)

I. EPA I.D. NUMBER

S												T/A	C
F	N	J	D	0	0	0	5	2	6	5	2	5	3	1
1	2											13	14	15

FOR OFFICIAL USE ONLY

APPLICATION APPROVED	DATE RECEIVED (yr., mo., & day)	COMMENTS
23	24 - 29: 8 0 1 1 1 9	

II. FIRST OR REVISED APPLICATION

Place an "X" in the appropriate box in A or B below *(mark one box only)* to indicate whether this is the first application you are submitting for your facility or a revised application. If this is your first application and you already know your facility's EPA I.D. Number, or if this is a revised application, enter your facility's EPA I.D. Number in Item I above.

A. FIRST APPLICATION *(place an "X" below and provide the appropriate date)*

[X] 71 **1. EXISTING FACILITY** *(See instructions for definition of "existing" facility. Complete item below.)*

[ ] 71 **2. NEW FACILITY** *(Complete item below.)*

C 15: 8

FOR EXISTING FACILITIES, PROVIDE THE DATE *(yr., mo., & day)* **OPERATION BEGAN OR THE DATE CONSTRUCTION COMMENCED** *(use the boxes to the left)*

YR. (73 74)	MO. (75 76)	DAY (77 78)
0 2	0 3	0 1

FOR NEW FACILITIES, PROVIDE THE DATE *(yr., mo., & day)* **OPERATION BEGAN OR IS EXPECTED TO BEGIN**

YR. (73 74)	MO. (75 76)	DAY (77 78)

B. REVISED APPLICATION *(place an "X" below and complete Item I above)*

[ ] 72 **1. FACILITY HAS INTERIM STATUS**

[ ] 72 **2. FACILITY HAS A RCRA PERMIT**

III. PROCESSES – CODES AND DESIGN CAPACITIES

A. PROCESS CODE – Enter the code from the list of process codes below that best describes each process to be used at the facility. Ten lines are provided for entering codes. If more lines are needed, enter the code*(s)* in the space provided. If a process will be used that is not included in the list of codes below, then describe the process *(including its design capacity)* in the space provided on the form *(Item III-C)*.

B. PROCESS DESIGN CAPACITY – For each code entered in column A enter the capacity of the process.

1. AMOUNT – Enter the amount.
2. UNIT OF MEASURE – For each amount entered in column B(1), enter the code from the list of unit measure codes below that describes the unit of measure used. Only the units of measure that are listed below should be used.

PROCESS	PROCESS CODE	APPROPRIATE UNITS OF MEASURE FOR PROCESS DESIGN CAPACITY
Storage:		
CONTAINER *(barrel, drum, etc.)*	S01	GALLONS OR LITERS
TANK	S02	GALLONS OR LITERS
WASTE PILE	S03	CUBIC YARDS OR CUBIC METERS
SURFACE IMPOUNDMENT	S04	GALLONS OR LITERS
Disposal:		
INJECTION WELL	D79	GALLONS OR LITERS
LANDFILL	D80	ACRE-FEET *(the volume that would cover one acre to a depth of one foot)* OR HECTARE-METER
LAND APPLICATION	D81	ACRES OR HECTARES
OCEAN DISPOSAL	D82	GALLONS PER DAY OR LITERS PER DAY
SURFACE IMPOUNDMENT	D83	GALLONS OR LITERS
Treatment:		
TANK	T01	GALLONS PER DAY OR LITERS PER DAY
SURFACE IMPOUNDMENT	T02	GALLONS PER DAY OR LITERS PER DAY
INCINERATOR	T03	TONS PER HOUR OR METRIC TONS PER HOUR; GALLONS PER HOUR OR LITERS PER HOUR
OTHER *(Use for physical, chemical, thermal or biological treatment processes not occurring in tanks, surface impoundments or incinerators. Describe the processes in the space provided; Item III-C.)*	T04	GALLONS PER DAY OR LITERS PER DAY

UNIT OF MEASURE	UNIT OF MEASURE CODE
GALLONS	G
LITERS	L
CUBIC YARDS	Y
CUBIC METERS	C
GALLONS PER DAY	U
LITERS PER DAY	V
TONS PER HOUR	D
METRIC TONS PER HOUR	W
GALLONS PER HOUR	E
LITERS PER HOUR	H
ACRE-FEET	A
HECTARE-METER	F
ACRES	B
HECTARES	Q

EXAMPLE FOR COMPLETING ITEM III *(shown in line numbers X-1 and X-2 below)*: A facility has two storage tanks, one tank can hold 200 gallons and the other can hold 400 gallons. The facility also has an incinerator that can burn up to 20 gallons per hour.

S		T/A	C
C	DUP		1
1	2 - 13	14	15

LINE NUMBER	A. PROCESS CODE (from list above) (16 - 18)	B. PROCESS DESIGN CAPACITY 1. AMOUNT (specify) (19 - 27)	B. 2. UNIT OF MEASURE (enter code) (28)	FOR OFFICIAL USE ONLY (29 - 32)
X-1	S 0 2	600	G	
X-2	T 0 3	20	E	
1	S 0 3	500,000000	Y	
2	S 0 4	9,000,00000	G	
3	T 0 2	1,000000	U	
4				
5				
6				
7				
8				
9				
10				

Continued from the front.

III. PROCESSES *(continued)*

C. SPACE FOR ADDITIONAL PROCESS CODES OR FOR DESCRIBING OTHER PROCESSES *(code "T04")*. FOR EACH PROCESS ENTERED HERE INCLUDE DESIGN CAPACITY.

III 1. S 0 3 Includes storage capacity for bagged materials.

IV. DESCRIPTION OF HAZARDOUS WASTES

A. EPA HAZARDOUS WASTE NUMBER – Enter the four–digit number from 40 CFR, Subpart D for each listed hazardous waste you will handle. If you handle hazardous wastes which are not listed in 40 CFR, Subpart D, enter the four–digit number*(s)* from 40 CFR, Subpart C that describes the characteristics and/or the toxic contaminants of those hazardous wastes.

B. ESTIMATED ANNUAL QUANTITY – For each **listed waste** entered in column A estimate the quantity of that waste that will be handled on an annual basis. For each **characteristic** or **toxic contaminant** entered in column A estimate the total annual quantity of all the non–listed waste*(s)* that will be handled which possess that characteristic or contaminant.

C. UNIT OF MEASURE – For each quantity entered in column B enter the unit of measure code. Units of measure which must be used and the appropriate codes are:

ENGLISH UNIT OF MEASURE	CODE	METRIC UNIT OF MEASURE	CODE
POUNDS	P	KILOGRAMS	K
TONS	T	METRIC TONS	M

If facility records use any other unit of measure for quantity, the units of measure must be converted into one of the required units of measure taking into account the appropriate density or specific gravity of the waste.

D. PROCESSES

1. PROCESS CODES:
   For listed hazardous waste: For each **listed** hazardous waste entered in column A select the code*(s)* from the list of process codes contained in Item III to indicate how the waste will be stored, treated, and/or disposed of at the facility.
   For non–listed hazardous wastes: For each characteristic or toxic contaminant entered in column A, select the code*(s)* from the list of process codes contained in Item III to indicate **all** the processes that will be used to store, treat, and/or dispose of all the non–listed hazardous wastes that possess that characteristic or toxic contaminant.
   Note: Four spaces are provided for entering process codes. If more are needed: (1) Enter the first three as described above; (2) Enter "000" in the extreme right box of Item IV-D(1); and (3) Enter in the space provided on page 4, the line number and the additional code*(s)*.

2. PROCESS DESCRIPTION: If a code is not listed for a process that will be used, describe the process in the space provided on the form.

NOTE: HAZARDOUS WASTES DESCRIBED BY MORE THAN ONE EPA HAZARDOUS WASTE NUMBER – Hazardous wastes that can be described by more than one EPA Hazardous Waste Number shall be described on the form as follows:

1. Select one of the EPA Hazardous Waste Numbers and enter it in column A. On the same line complete columns B,C, and D by estimating the total annual quantity of the waste and describing all the processes to be used to treat, store, and/or dispose of the waste.
2. In column A of the next line enter the other EPA Hazardous Waste Number that can be used to describe the waste. In column D(2) on that line enter "included with above" and make no other entries on that line.
3. Repeat step 2 for each other EPA Hazardous Waste Number that can be used to describe the hazardous waste.

EXAMPLE FOR COMPLETING ITEM IV *(shown in line numbers X-1, X-2, X-3, and X-4 below)* – A facility will treat and dispose of an estimated 900 pounds per year of chrome shavings from leather tanning and finishing operation. In addition, the facility will treat and dispose of three non–listed wastes. Two wastes are corrosive only and there will be an estimated 200 pounds per year of each waste. The other waste is corrosive and ignitable and there will be an estimated 100 pounds per year of that waste. Treatment will be in an incinerator and disposal will be in a landfill.

LINE NO.	A. EPA HAZARD. WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES 1. PROCESS CODES (enter)	D. PROCESSES 2. PROCESS DESCRIPTION (if a code is not entered in D(1))
X-1	K 0 5 4	900	P	T 0 3 D 8 0	
X-2	D 0 0 2	400	P	T 0 3 D 8 0	
X-3	D 0 0 1	100	P	T 0 3 D 8 0	
X-4	D 0 0 2				included with above

Continued from page 2.
NOTE: Photocopy this page before completing if you have more than 26 wastes to list.

Form Approved OMB No. 158-S80004

EPA I.D. NUMBER (enter from page 1): WNJD005265251 T/A 3 C 1

FOR OFFICIAL USE ONLY: W DUP T/A 3 C 2 DUP

IV. DESCRIPTION OF HAZARDOUS WASTES (continued)

LINE NO.	A. EPA HAZARD. WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES 1. PROCESS CODES (enter)	D. PROCESSES 2. PROCESS DESCRIPTION (if a code is not entered in D(1))
20-22					
001 1	D004	15,000000	T	S03	
002 2	D006				Included with above
003 3	D008				Included with above
004 4	D006	8,000000	T	S03	
005 5	D008				Included with above
006 6	D006	500000	T	S04	
007 7	D008				Included with above
008 8	D010				Included with above
9	D002	1,000000	T	S04 T02	
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					

EPA Form 3510-3 (6-80)

CONTINUE ON REVERSE

(enter "A", "B", "C", etc. behind the "3" to identify photocopied pages)

Continued from the front.

IV. DESCRIPTION OF HAZARDOUS WASTES *(continued)*

E. USE THIS SPACE TO LIST ADDITIONAL PROCESS CODES FROM ITEM D(1) ON PAGE 3.

F6: A/55 F6: A/56

EPA I.D. NO. *(enter from page 1)*

S												T/A	C
F	N	J	D	0	0	0	5	2	6	5	2	5	3	6
1	2	-									13	14	15	

V. FACILITY DRAWING

All **existing** facilities must include in the space provided on page 5 a scale drawing of the facility *(see instructions for more detail).*

VI. PHOTOGRAPHS

All existing facilities must include photographs *(aerial or ground–level)* that clearly delineate all existing structures; existing storage, treatment and disposal areas; and sites of future storage, treatment or disposal areas *(see instructions for more detail).*

VII. FACILITY GEOGRAPHIC LOCATION

LATITUDE *(degrees, minutes, & seconds)*						LONGITUDE *(degrees, minutes, & seconds)*					
4	0	3	3	5	6	0	7	4	1	2	5	6	0
65	66	67	68	69	-	71	72	-	74	75	76	77	-	79

VIII. FACILITY OWNER

☐ A. If the facility owner is also the facility operator as listed in Section VIII on Form 1, "General Information", place an "X" in the box to the left and skip to Section IX below.

B. If the facility owner is not the facility operator as listed in Section VIII on Form 1, complete the following items:

1. NAME OF FACILITY'S LEGAL OWNER	2. PHONE NO. *(area code & no.)*
C E	
15 16 - 55	56 - 58 – 59 - 61 – 62 - 65

3. STREET OR P.O. BOX	4. CITY OR TOWN	5. ST.	6. ZIP CODE
C F	C G		
15 16 - 45	15 16 - 40	41 42	47 - 51

IX. OWNER CERTIFICATION

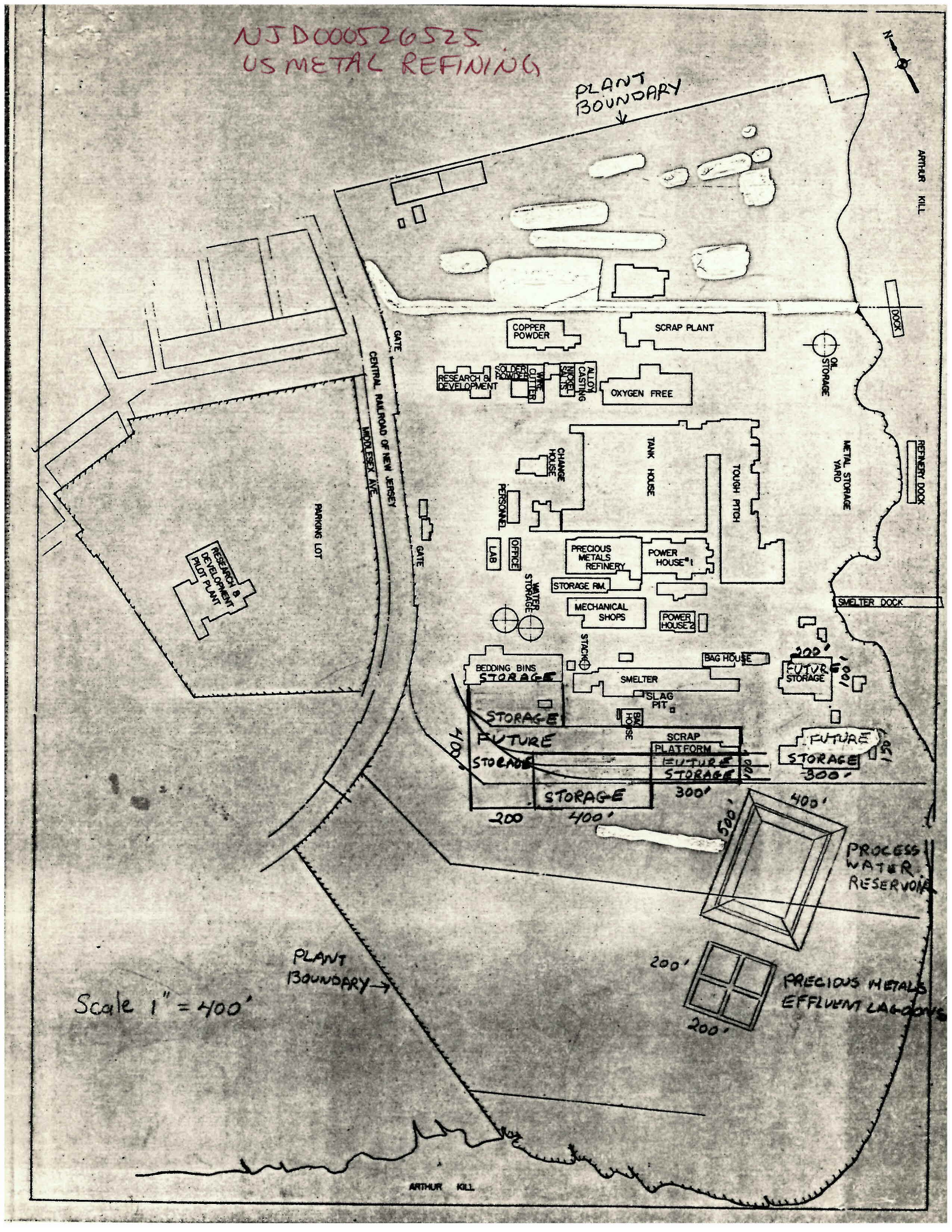
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME *(print or type)*	B. SIGNATURE	C. DATE SIGNED
R. N. BROWN, President	R N Brown	11/12/80

X. OPERATOR CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME *(print or type)*	B. SIGNATURE	C. DATE SIGNED


NJD000526525
US METAL REFINING
PLANT BOUNDARY
N
ARTHUR KILL
DOCK
COPPER POWDER
SCRAP PLANT
OIL STORAGE
GATE
CENTRAL RAILROAD OF NEW JERSEY
MIDDLESEX AVE.
RESEARCH & DEVELOPMENT
SOLDER POWDER
WIRE CUTTER
NICKEL SHOT
ALLOY CASTING
OXYGEN FREE
CHANGE HOUSE
TANK HOUSE
TOUGH PITCH
METAL STORAGE YARD
REFINERY DOCK
PERSONNEL
PARKING LOT
RESEARCH & DEVELOPMENT PILOT PLANT
GATE
LAB
OFFICE
PRECIOUS METALS REFINERY
POWER HOUSE #1
STORAGE RM.
WATER STORAGE
MECHANICAL SHOPS
POWER HOUSE 2
SMELTER DOCK
STACK
BAG HOUSE
BEDDING BINS STORAGE
SMELTER
SLAG PIT
FUTURE STORAGE
200'
100'
STORAGE
FUTURE
STORAGE
BAG HOUSE
SCRAP PLATFORM
FUTURE STORAGE
FUTURE STORAGE
300'
STORAGE
300'
200
400'
400'
500'
PROCESS WATER RESERVOIR
200'
200'
PRECIOUS METALS EFFLUENT LAGOONS
PLANT BOUNDARY
Scale 1" = 400'
ARTHUR KILL

Continued from page 4.

Form Approved OMB No. 158-S80004

V. FACILITY DRAWING *(see page 4)*

Phil - Is this correct; I want this one checked by Joel

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WASTE MANAGEMENT

32 E. Hanover St., CN 027, Trenton, N.J. 08625

JACK STANTON
DIRECTOR

LINO F. PEREIRA
DEPUTY DIRECTOR

06 APR 1983

Joel,
~~we delististed them~~ we deleted their TSD status in 6-7/82
PLD

PAB - for file

A. Filiaci
Director of Environmental Control
United States Metal Refining Company
400 Middlesex Avenue
Carteret, New Jersey 07008

file

RE: Delisting of US Metal Refining Company, Carteret, EPA ID NO. NJD000526525 from hazardous waste TSD facility status

Dear Mr. Filiaci:

The Bureau of Hazardous Waste Engineering has reviewed your company's response to the Notice of Violation, Failure to Submit Annual Report issued by the Bureau of Compliance and Enforcement on January 12, 1983, and the Department's records on the subject company.

The Bureau finds that the materials reprocessed by U.S. Metals Refining Company do not constitute solid wastes as defined under N.J.A.C. 7:26-1.6, and therefore the aforementioned Notice of Violation, Failure to Submit Annual Report is rescinded and need not be complied with.

The Bureau is also deleting the U.S. Metals Refining Company, Carteret Plant from the Department's list of existing hazardous waste facilities. This action is applicable to both the USEPA RCRA regulations under 40 CFR 261 and the NJDEP hazardous waste regulations under N.J.A.C. 7:26-1 et seq.

Very truly yours,

Frank Coolick

Frank Coolick, Chief
Bureau of Hazardous Waste Engineering

FC:TS:jb

cc Joel Golumbek, USEPA-Region II
Dave Leu, Chief, BHWCM

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE: January 13, 1983

SUBJECT: United States Metals Refining Company, RCRA Sampling

FROM: Joseph V. Cosentino
Source Monitoring Section

Joseph Cosentino 1-17-83

TO: Ron Testa
Solid Waste Branch

NJD000526525

THRU: John Ciancia, Chief
Source Monitoring Section

Input to VS

On May 4, 1982 a RCRA sampling survey was conducted at the subject facility by Angela Morales and myself. This survey was requested by EPA's Solid Waste Branch. The purpose was to determine whether the facility is in compliance with the regulatory requirements of RCRA.

The facility is located at 400 Middlesex Avenue, Carteret, New Jersey and is a subsidiary of Amax Inc. It is the largest secondary copper producer in the United States. The facility, through a variety of metallurgical processes produces copper, gold, silver, platinum, palladium, iridium, rhodium, ruthenium, sclenium and tellurium. Feedstocks for the processes are heterogeneous secondary materials (ie: telephone wire and scrap). As a result, certain materials are collected in surface impoundments and baghouses which may be hazardous wastes as defined in RCRA. The facility contends that the nature of its operations are such that no wastes are produced and that these materials are either sold or recycled back into the process. The following were areas of concern and were sampled:

- Sample #62714 was collected from the influent to an 8 million gallon reservoir. The reservoir is bentonite-lined and is used to collect runoff and non-contact cooling water. The reservoir provides process water for the facility.

- Sample #62715 contained reservoir sludge. These solids, because of their precious metals content, are collected and processed through the facility.

- Sample #62716 was collected from 1 of 4 hyperlon-lined lagoons. The lagoons each have a capacity of 200,000 gallons and are used to store acid solutions from the precious metals refinery. These solutions are generated from a number of hydrometallurgical processes and contain high concentrations of precious metals which are concentrated in the lagoons and further processed.

- Sample #62177 was collected from the conversion baghouse residue bagger. The residue is primarily metallic oxides which are sold as feedstocks for metal recovery operations in Belgium, Germany and the United Kingdom. This material is high in tin and zinc content for which USMR does not have the refining capabilities.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE January 13, 1983

SUBJECT United States Metals Refining Company, RCRA Sampling

FROM Joseph V. Cosentino
Source Monitoring Section

TO Ron Testa
Solid Waste Branch

THRU: John Ciancia, Chief
Source Monitoring Section

On May 4, 1982 a RCRA sampling survey was conducted at the subject facility by Angela Morales and myself. This survey was requested by EPA's Solid Waste Branch. The purpose was to determine whether the facility is in compliance with the regulatory requirements of RCRA.

The facility is located at 400 Middlesex Avenue, Carteret, New Jersey and is a subsidiary of Amax Inc. It is the largest secondary copper producer in the United States. The facility, through a variety of metallurgical processes produces copper, gold, silver, platinum, palladium, iridium, rhodium, ruthenium, selenium and tellurium. Feedstocks for the processes are heterogeneous secondary materials (ie: telephone wire and scrap). As a result, certain materials are collected in surface impoundments and baghouses which may be hazardous wastes as defined in RCRA. The facility contends that the nature of its operations are such that no wastes are produced and that these materials are either sold or recycled back into the process. The following were areas of concern and were sampled:

- Sample #62714 was collected from the influent to an 8 million gallon reservoir. The reservoir is bentonite-lined and is used to collect runoff and non-contact cooling water. The reservoir provides process water for the facility.

- Sample #62715 contained reservoir sludge. These solids, because of their precious metals content, are collected and processed through the facility.

- Sample #62716 was collected from 1 of 4 hypalon-lined lagoons. The lagoons each have a capacity of 200,000 gallons and are used to store acid solutions from the precious metals refinery. These solutions are generated from a number of hydrometallurgical processes and contain high concentrations of precious metals which are concentrated in the lagoons and further processed.

- Sample #62717 was collected from the conversion baghouse residue bagger. The residue is primarily metallic oxides which are sold as feedstocks for metal recovery operations in Belgium, Germany and the United Kingdom. This material is high in tin and zinc content for which USMR does not have the refining capabilities.

All samples were analyzed for the characteristic of EP toxicity (metals) as defined in RCRA. Analysis were performed at EPA's Edison, New Jersey laboratory.

The data obtained from the sample analyses are attached as Table I. The results indicate that all the samples displayed the characteristic of EP toxicity: the reservoir liquid because of its arsenic and selenium content; the reservoir sludge because of its cadmium, lead and selenium content; the precious metals lagoon solution content; and the baghouse residue because of its cadmium, lead and mercury content.

At the time of this inspection the facility had contracted the services of Lion Technology for the installation of ground water monitoring wells around its surface impoundments in fulfillment of a request by New Jersey Department of Environmental Protection.

Attachments

Table I - Analytical Results
Appendix I - Receipt for Samples

All samples were analyzed for the characteristic of EP toxicity (metals) as defined in RCRA. Analysis were performed at EPA's Edison, New Jersey laboratory.

The data obtained from the sample analyses are attached as Table I. The results indicate that all the samples displayed the characteristic of EP toxicity: the reservoir liquid because of its arsenic and selenium content; the reservoir sludge because of its cadmium, lead and selenium content; the precious metals lagoon solution content; and the bagnouse residue because of its cadmium, lead and mercury content.

At the time of this inspection the facility had contracted the services of Lion Technology for the installation of ground water monitoring wells around its surface impoundments in fulfillment of a request by New Jersey Department of Environmental Protection.

Attachments

Table I - Analytical Results
Appendix I - Receipt for Samples

TABLE I

-EP TOXICITY-
ANALYTICAL RESULTS FROM
MAY 4, 1982 SAMPLING

USMR, CARTERET, NEW JERSEY

SAMPLE NUMBER			#62714		#62715		#62716		#62717	
LOCATION / PARAMETER	PERMISSIBLE CONCENTRATION UNDER RCRA MAXIMUM		WASTE WATER RESERVOIR (LIQUID) INFLUENT		WASTE WATER RESERVOIR (SLUDGE)		PRECIOUS METALS ACID SOLUTION LAGOON		METALLIC OXIDE RESIDUE FROM BAG HOUSE	
ARSENIC	5.0	mg/L	15.0	mg/L *	4.0	mg/L	5.0	mg/L	.007 K	mg/L
BARIUM	100.0		.28		.19		.06		.03 J	
CADMIUM	1.0		.52		38.0	*	1.8	*	74.0	*
CHROMIUM	5.0		.13		.07		2.9		.070	
LEAD	5.0		1.2		17.0	*	56.0	*	82.0	*
MERCURY	0.2		.0005		.003		.0002 K		7.18	*
SELENIUM	1.0		39.0	*	9.5	*	2.80	*	.380	
SILVER	5.0		.04		.005 K		3.30		.01 J	

ALL VALUES ARE EXPRESSED AS mg/L

* = EXCEED MAXIMUM CONCENTRATION UNDER RCRA

J = ESTIMATED VALUE

K = ACTUAL VALUE KNOWN TO BE LESS THAN VALUE GIVEN

United States Metals Refining Company
400 Middlesex Avenue, Carteret, New Jersey, 07008, Telephone: (201) 541-4141

November 14, 1980

EPA - Region II
Information Service Center
26 Federal Plaza
New York, New York 10007

Gentlemen:

Our organization had been identified by EPA as one which may possibly handle hazardous waste. The attached Part A Application for a Hazardous Waste Permit is duly submitted according to regulations promulgated under the Resource Conservation and Recovery Act. Although we have filed the notification form, and are now filing Part A Application for a Hazardous Waste Permit, we are doing so despite the unreasonableness of the regulations in order to gain interim status and ensure our organizational viability. As we will explain in this letter, the bulk of our residuals are unnecessarily and unreasonably regulated.

U. S. Metals Refining Company is a secondary copper and precious metals smelting and refining facility. Our company is a major recycling facility and is vital to the principle of resource recovery! During the course of recycled refining, we generate thousands of tons of valuable by-products annually. These by-products, generated in the form of pelletized and bagged flue dust, contain gold, silver, copper, lead, tin, and zinc. This flue dust is then sold as feed material to other refineries for extraction of the aforementioned metals.

While we do not consider our flue dust residuals to be a "sludge" because they are not a "waste" as required by the definition of "sludge" at § 260.10 (a) (63), we understand EPA may consider them to be a "sludge." Since we cannot honestly tell under EPA's regulations the status of our residuals due to the uncertainty and interpretation of the definition of "sludge," we have no alternative but to include our valuable by-products under the hazardous waste regulations.

Furthermore, we did not include in this Part A application our Selenium Plant sludge and Tough Pitch baghouse flue dust, which is considered

to be a "sludge" under the EPA definition. These materials, upon generation, are sent back to our Smelter facility to be incorporated along with other feed materials for recycling in the cupola blast furnace. These materials are placed in the receiving storage area of the Smelter for consumption, which does not constitute storage in that this "sludge" enters the feed stream for relatively immediate recycling. These materials when placed in the feed storage area, in our opinion, begin the process of recycling and are not subject to the regulations.

Very truly yours,

A. Filiaci

Anthony Filiaci
Director of Environmental Control

AF:oy
att.

U. S. Metals

AMAX
ENVIRONMENTAL SERVICES, INC.
A SUBSIDIARY OF AMAX INC.

November 13, 1981

Mr. William Sawyer
General Enforcement
U.S. Environmental Protection
Agency, Region II
Room 437
26 Federal Plaza
New York, NY 10278

Dear Sir:

By letter dated October 2, 1981, EPA Region II Enforcement Division indicated that the United States Metals Refining Company (USMR) (a wholly owned subsidiary of AMAX Inc.) facility at Carteret, New Jersey was subject to the federal hazardous waste requirements promulgated pursuant to the Resource Conservation and Recovery Act (RCRA). Prior to receiving this letter we had contacted EPA Region II Office of Solid Waste to ask how we could obtain offical recognition by EPA that certain residuals processed or sold by USMR are not solid wastes within the meaning of RCRA. To resolve the issue we arranged a meeting with Mr. Matthew A. Straus, of EPA's Waste Characterization Branch (WH-565).

We provided to EPA Headquarters information concerning the USMR facility at Carteret, New Jersey by letter dated October 19, 1981 (which was also provided to Region II enforcement). On October 26, 1981, in Washington, D.C., I and representatives of USMR met with Mr. Straus and Mr. Silverman who is with EPA's Office of General Counsel. After we had described why certain USMR residuals are not wastes, Mr. Straus and Mr. Silverman indicated that their tentative conclusion was that the materials in question are never "sometimes discarded" and, therefore, not solid waste within the meaning of RCRA. Subsequent telephone contact with Mr. Straus indicated that he and Mr. Silverman had indeed concluded that the materials are not solid wastes within the meaning of RCRA and that a letter to this effect would be provided to AMAX.

Mr. Straus indicated, however, that it may take a while before EPA could provide us with such a letter acknowledging that our interpretation was correct. Since the enforcement letter from Region II indicated that USMR should comply with the RCRA requirements by December 1, 1981, I contacted you by phone on November 2, 1981, and related what had transpired at the meeting with EPA Headquarters. Per your suggestion, I am providing this memorandum of the events for your files. It is our understanding that for a reasonable period of time (at least until January 1, 1982) no further enforcement action will be taken. If you have

any concerns regarding EPA Headquarters' position on this matter, please contact Mr. Straus.

If you have any further questions, please telephone me at (303)-231-0692. Thank you for your cooperation in this manner.

Sincerely yours,

Louis J. Marucheau

Louis J. Marucheau
Environmental Attorney
AMAX Environmental Services, Inc.

LJM:mpa
cc: Matthew A. Straus

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

OCT 2 1981

Louis J. Marucheau, Esq.
AMAX Environmental Services, Inc.
4704 Harlan Street
Denver, Colorado 80212

Re: U.S. Metals Refining Company plant in
Carteret, New Jersey

Dear Mr. Marucheau:

I am writing to resolve any confusion that has arisen with regard to whether the U.S. Metals Refining Company's plant at Carteret, New Jersey is subject to the regulations promulgated pursuant to the Resource Conservation and Recovery Act ("RCRA").

I have reviewed the report of the New Jersey inspectors who visited the Carteret plant on May 7, 1981 and the company's submittals to EPA during the last year (including the Hazardous Waste Notification, the Part A Application and letters, dated November 14, 1980 and November 26, 1980). It is my conclusion that the company's operations in Carteret are subject to the regulatory requirements listed at Title 40, Code of Federal Regulations, Part 261.6(b).

Title 40, CFR, Part 261, Subpart D specifically lists "emission control dust/sludge from secondary lead smelting" as a hazardous waste. In addition, the sludge generated at the plant is a hazardous waste. See (1) 40 CFR Part 260.10 definition of "sludge", (2) 40 CFR, Part 260, Appendix I, Figure 1, "Definition of a Solid Waste", (3) 40 CFR, Part 261.2 definition of solid waste and (4) 40 CFR, Part 261.3 definition of hazardous waste, and (5) 40 CFR, Part 261.32. Consequently, the company's plant is subject to the requirements described in 40 CFR Part 261.6(b).

During the inspection on May 7, 1981, New Jersey inspectors found evidence that the plant was in violation of certain applicable regulations. Among the regulations apparently being violated were 40 CFR §§262.20, 262.31, 262.32, 262.34, 265.13, 265.52(f) and 265.73. In view of past confusion concerning the applicability of RCRA regulations, EPA has decided to forbear from taking enforcement action for these violations, provided U.S. Metals

acts expeditiously to correct these violations within 60 days.

Sincerely yours,

Julio Morales-Sanchez
Director
Enforcement Division

cc: Anthony Filiaci
U.S. Metals Refining Co.

AMAX
ENVIRONMENTAL SERVICES, INC.
A SUBSIDIARY OF AMAX INC.

October 19, 1981

Mr. Matthew A. Straus
Program Manager
Waste Characterization Branch, WH-565
Hazardous and Industrial Waste Division
Office of Solid Waste
U.S. Environmental Protection Agency
401 M Street SW
Washington, D.C. 20460

Dear Mr. Strauss:

I am writing you on behalf of the United States Metals Refining Company (USMR), a wholly owned subsidiary of AMAX Inc., which operates a metals processing and refining facility in Carteret, New Jersey. We are writing to seek official recognition by EPA that certain materials processed at the USMR Carteret facility are not, within the meaning of the Resource Conservation and Recovery Act (RCRA), solid waste. If such a recognition must be made by rulemaking, then we hereby petition that you initiate such rulemaking.

ISSUE

While no residue discarded by USMR is hazardous under 40 CFR 261, certain materials which are processed or sold by USMR are collected in surface impoundments and baghouses. Although we have been told that the definition of solid waste will be changed by EPA, the current definitions, including that of the term "sludge," are such that there has been a question whether these materials collected in surface impoundments and baghouses are subject to regulation as hazardous waste. What we will demonstrate is that, by virtue of the nature of the operation at Carteret, New Jersey, these materials are never discarded. What we seek is a recognition similar to that made by EPA on November 12, 1980 (45 FR at 74887) that certain sludges are not solid wastes under EPA's regulations.

DESCRIPTION OF FACILITY

The USMR facility at Carteret, New Jersey is an extremely complex metals recovery operation. Through a variety of integrated pyrometallurgical and hydrometallurgical processes, the facility produces refined copper, gold, silver, platinum,

palladium, iridium, rhodium, ruthenium, selenium, and tellurium. The facility also produces nickel sulfate and metallic oxides, both of which are exported. Feedstocks for the facility are heterogeneous secondary materials (primary ores and concentrates are not processed). The feedstocks are introduced at various points during the process, depending upon the character of the feed and the percentage of contained copper and precious metals.

Although USMR is the largest secondary copper producer in the United States, it is not simply a secondary copper smelter. It is an integrated facility involving a smelter, copper refinery, and precious metals refinery, the combination of which allows the facility to be a major producer of precious metals. No other secondary copper producer has the precious metals refining capabilities that USMR has. This uniqueness is recognized in that USMR refines precious metals on a toll basis for many of the primary copper producers.

The importance of precious metals is illustrated by the following statistics. The value of one year's production of refined metals and other products at Carteret is approximately $1 billion. Nearly two-thirds of this amount is represented by the production of gold, silver, and other precious metals. Because of this precious metals refining capability, a considerable portion of all feedstocks at the facility contains significant amounts of precious metals. For example, of the feed for the smelter blast furnance originating from outside the USMR facility, nearly two-thirds is shredded telephone scrap and electrical components which contain large amounts of precious metals.

Because USMR refines precious metals on a toll basis, and because feedstock materials are purchased based on precise assays of the materials, it is critical to the economic viability of the operation that no metal value be lost into the environment or elsewhere. Because of the very high values of precious metals (gold is worth more that 7,000 times an equivalent weight of copper) and because of the prevalence of precious metals throughout the facility, it is imperative that no material containing more than trace amounts of precious metals is discarded. As a result, no materials are discarded from the metallurgical processes. Even the smelter slag, which is nonhazardous under EPA's criteria, is sold as an abrasive to be used in sandblasting.

Although the nature of USMR's operation is such that no hazardous wastes are produced, certain materials collected in surface impoundments and baghouses may meet EPA's definition of sludge.

SURFACE IMPOUNDMENTS

There are five surface impoundments at USMR. Four hyperlon-lined lagoons are used to store acid solutions from the precious metals refinery. Filtrates from a number of hydrometallurgical refining processes are sent to these lagoons for storage where metals are then concentrated (through cementation and precipitation) and further processed. These acid solutions (known as the goldroom end filtrate) contain high concentrations of precious metals, particularly platinum, palladium and iridium. These acid solutions and solids which are formed in these lagoons are clearly part of the metal refining processes at USMR. However, a fifth surface impoundment may come under EPA's definition of wastewater or water supply treatment.

In 1977, USMR constructed a bentonite-lined reservoir to provide process water for the facility. The reservoir collects and stores rainwater runoff from the plant area as well as contact cooling water. Although treatment is not required for such noncontact cooling water, water being collected in the reservoir is subject to automatic pH adjustment by the addition of sodium carbonate to safeguard plant equipment should any acids reach the system. For the last two years, there has been no major introduction of acids into the system. Because of its limited use and chemical nature, there are no significant precipitates from the sodium carbonate. Solids which settle in the reservoir are continually processed through the facility.

While these solids are not produced by a "wastewater treatment plant" or a "water supply treatment plant," EPA may consider the materials to be "sludges." However, regardless of whether these materials are technically sludges, it is quite clear that, because of the precious metals content of such materials, they are never discarded and are not wastes.

The most recent assay of these reservoir solids indicated that the contained metal values are approximately $5,000 per ton. Considering the latest assay which indicated 5.72 ounces per ton of gold and 142.5 ounces per ton of silver, the reservoir solids at USMR are far richer than the ores of most producing gold and silver mines. As stated above, the nature of the precious metals aspect of USMR's operations is such that no significant source of precious metals can be discarded. Thus, the reservoir solids have never been and will not be discarded. Based upon the rationale presented by EPA in the context of electroplating sludges (45 FR at 74887), USMR's reservoir solids are not solid wastes and, therefore, not subject to regulation as a hazardous waste.

METALLIC OXIDES

Metallic oxides produced at USMR are sent overseas to facilities in the United Kingdom, Germany, and Belgium which recover specific metals. Of the some 20,000 tons produced annually, approximately 3,500 tons are immediately bagged upon collection and placed on pallets for shipment overseas in sea transport containers. The other metallic oxides are currently being pelletized upon collection and are stored in transport containers to prevent being windblown or otherwise contacting the ground.

Since the metallic oxides produced at USMR require no further processing to be used as feedstocks for metal recovery operations overseas, we understand that they probably will not be subject to regulation once EPA has officially revised its definition of solid waste. However, because the potential storage of these materials might subject USMR to RCRA permit requirements (metallic oxides are usually shipped within 60 days), it is essential that EPA officially recognize as soon as possible that these materials are not wastes.

The materials are further refined overseas because they are high in tin and zinc for which USMR does not have the refining capabilities. In addition, these metallic oxides contain significant amounts of precious metals. For example, of the approximately $40 million worth of contained metal values for one year's production of these oxides, approximately $15 million are attributable to gold, silver, platinum and palladium. USMR cannot afford to discard annually approximately $15 million worth of gold, silver, and other precious metals.

Therefore, by the rationale expressed by EPA in the November 12, 1980 Federal Register, we believe these materials, even if they are technically sludges, are not solid wastes. This would also be consistent with EPA's recent decision that the recycling of certain baghouse dusts do not warrant regulation. On August 6, 1981 (46 FR 40159), EPA excluded from listing as hazardous waste certain baghouse dusts from a secondary lead smelter. Where the secondary smelter first used a baghouse to remove dust and then used a venturi scrubber for the off-gases, EPA, in discussing whether the wastes were hazardous, only looked at the scrubber sludges. The obvious implication is that because the baghouse dusts were recycled, there was no need to consider whether they were hazardous or not.

SUMMARY

Although most of the materials produced at USMR (including goldroom end filtrate precipitates) are clearly part of USMR's

integrated metallurgical process, process water reservoir solids and metallic oxides collected in its smelter baghouses may be considered by EPA to be "sludges." Although we understand that these materials will most likely not be subject to regulation after EPA's definition of solid waste is revised, EPA may believe that these materials currently subject USMR to regulation. Because of the high precious metals content of these materials, and because USMR is a precious metals refinery, these materials are never discarded and should not be considered to be solid waste. In accordance with EPA's similar recognition concerning certain electroplating sludges, we request that EPA officially recognize that the process water reservoir solids and smelter metallic oxides at USMR are not solid wastes and are not subject to regulation under RCRA.

Sincerely,

Louis J. Marucheau

Louis J. Marucheau

LJM/bsm

NJD000526525

United States Metals Refining Company
400 Middlesex Avenue, Carteret, New Jersey, 07008, Telephone: (201) 541-4141

July 6, 1982

Delete TSP Category

NJD000526525

C119
1105
1103
date

JUL 8 2 23 PM '82
ENVIRONMENTAL PROTECTION AGENCY
NEW YORK, N.Y. 10007
PERMITS ADMIN. BRANCH
REGION II

Mr. Richard A. Baker
Permits Administration Branch
U.S. Environmental Protection Agency
Region II
26 Federal Plaza
New York, N.Y. 10278

Re: Financial and Liability Requirements for Hazardous Waste Treatment Storage and Disposal Facilities

Dear Mr. Baker:

JH
HWDMS
9/23/82

I am writing to secure official recognition by the EPA and to request the withdrawal of U.S. Metals Refining Company Part A Permit Application since we have now determined that we do not meet the definition of a Hazardous Waste Treatment and Disposal Facility within the context and meaning of RCRA.

We have in the past year been actively pursuing our position regarding the applicability of the RCRA regulations upon our company with the US EPA Region II and the NJ EPA office of Solid Waste Characterization Branch, Washington, D.C. (see attached letters dated October 2, 1981 and November 13, 1981) to resolve our status concerning these regulations. As the most recent letter indicated, EPA has clearly indicated that the materials in question all are not solid wastes within the meaning of RCRA and that a letter to this effect would be provided to U.S. Metals Refining Company, however, no formal position in this regard has been issued to date.

United States Metals Refining Company is a secondary copper and precious metals smelting and refining facility. Our company is a major recycling facility and is vital to the principle of resource recovery. During the course of recycled refining, we generate thousands of tons of valuable by-products annually. The materials produced at United States Metals Refining Company which were listed in the Part A Permit Application are incorporated into a continuous and complete recycling circuit.

Mr. Richard A. Baker
Permits Administration Branch
U. S. Environmental Protection Agency

July 6, 1982

Due to the uncertainty and interpretation of the RCRA regulations, it was thought to be in our best interest to submit the notification requirement and proceed with the Part A Permit Application in order to protect the interest and viability of our company. As stated earlier, we definitely feel that we are not subject to RCRA regulations and are now requesting the withdrawal of our Permit Application.

Should further information be required regarding this request for withdrawal of our Part A Permit Application, please telephone me at (201) 541-4141, or more favorably, possibly a meeting can be arranged, at your convenience, to clarify our resource recycling position as it pertains to RCRA.

Thank you for your cooperation in this matter.

Very truly yours,

A. Filiaci

A. Filiaci
Director of Environmental Control

AF/ic
Attach (2)

AMAX
ENVIRONMENTAL SERVICES, INC.
A SUBSIDIARY OF AMAX INC.

November 13, 1981

Mr. William Sawyer
General Enforcement
U.S. Environmental Protection
Agency, Region II
Room 437
26 Federal Plaza
New York, NY 10278

Dear Sir:

By letter dated October 2, 1981, EPA Region II Enforcement Division indicated that the United States Metals Refining Company (USMR) (a wholly owned subsidiary of AMAX Inc.) facility at Carteret, New Jersey was subject to the federal hazardous waste requirements promulgated pursuant to the Resource Conservation and Recovery Act (RCRA). Prior to receiving this letter we had contacted EPA Region II Office of Solid Waste to ask how we could obtain offical recognition by EPA that certain residuals processed or sold by USMR are not solid wastes within the meaning of RCRA. To resolve the issue we arranged a meeting with Mr. Matthew A. Straus, of EPA's Waste Characterization Branch (WH-565).

We provided to EPA Headquarters information concerning the USMR facility at Carteret, New Jersey by letter dated October 19, 1981 (which was also provided to Region II enforcement). On October 26, 1981, in Washington, D.C., I and representatives of USMR met with Mr. Straus and Mr. Silverman who is with EPA's Office of General Counsel. After we had described why certain USMR residuals are not wastes, Mr. Straus and Mr. Silverman indicated that their tentative conclusion was that the materials in question are never "sometimes discarded" and, therefore, not solid waste within the meaning of RCRA. Subsequent telephone contact with Mr. Straus indicated that he and Mr. Silverman had indeed concluded that the materials are not solid wastes within the meaning of RCRA and that a letter to this effect would be provided to AMAX.

Mr. Straus indicated, however, that it may take a while before EPA could provide us with such a letter acknowledging that our interpretation was correct. Since the enforcement letter from Region II indicated that USMR should comply with the RCRA requirements by December 1, 1981, I contacted you by phone on November 2, 1981, and related what had transpired at the meeting with EPA Headquarters. Per your suggestion, I am providing this memorandum of the events for your files. It is our understanding that for a reasonable period of time (at least until January 1, 1982) no further enforcement action will be taken. If you have

any concerns regarding EPA Headquarters' position on this matter, please contact Mr. Straus.

If you have any further questions, please telephone me at (303)-231-0692. Thank you for your cooperation in this manner.

Sincerely yours,

Louis J. Marucheau

Louis J. Marucheau
Environmental Attorney
AMAX Environmental Services, Inc.

LJM:mpa
cc: Matthew A. Straus

AMAX
ENVIRONMENTAL SERVICES, INC.
A SUBSIDIARY OF AMAX INC.

October 19, 1981

Mr. Matthew A. Straus
Program Manager
Waste Characterization Branch, WH-565
Hazardous and Industrial Waste Division
Office of Solid Waste
U.S. Environmental Protection Agency
401 M Street SW
Washington, D.C. 20460

Dear Mr. Strauss:

I am writing you on behalf of the United States Metals Refining Company (USMR), a wholly owned subsidiary of AMAX Inc., which operates a metals processing and refining facility in Carteret, New Jersey. We are writing to seek official recognition by EPA that certain materials processed at the USMR Carteret facility are not, within the meaning of the Resource Conservation and Recovery Act (RCRA), solid waste. If such a recognition must be made by rulemaking, then we hereby petition that you initiate such rulemaking.

ISSUE

While no residue discarded by USMR is hazardous under 40 CFR 261, certain materials which are processed or sold by USMR are collected in surface impoundments and baghouses. Although we have been told that the definition of solid waste will be changed by EPA, the current definitions, including that of the term "sludge," are such that there has been a question whether these materials collected in surface impoundments and baghouses are subject to regulation as hazardous waste. What we will demonstrate is that, by virtue of the nature of the operation at Carteret, New Jersey, these materials are never discarded. What we seek is a recognition similar to that made by EPA on November 12, 1980 (45 FR at 74887) that certain sludges are not solid wastes under EPA's regulations.

DESCRIPTION OF FACILITY

The USMR facility at Carteret, New Jersey is an extremely complex metals recovery operation. Through a variety of integrated pyrometallurgical and hydrometallurgical processes, the facility produces refined copper, gold, silver, platinum,

palladium, iridium, rhodium, ruthenium, selenium, and tellurium. The facility also produces nickel sulfate and metallic oxides, both of which are exported. Feedstocks for the facility are heterogeneous secondary materials (primary ores and concentrates are not processed). The feedstocks are introduced at various points during the process, depending upon the character of the feed and the percentage of contained copper and precious metals.

Although USMR is the largest secondary copper producer in the United States, it is not simply a secondary copper smelter. It is an integrated facility involving a smelter, copper refinery, and precious metals refinery, the combination of which allows the facility to be a major producer of precious metals. No other secondary copper producer has the precious metals refining capabilities that USMR has. This uniqueness is recognized in that USMR refines precious metals on a toll basis for many of the primary copper producers.

The importance of precious metals is illustrated by the following statistics. The value of one year's production of refined metals and other products at Carteret is approximately $1 billion. Nearly two-thirds of this amount is represented by the production of gold, silver, and other precious metals. Because of this precious metals refining capability, a considerable portion of all feedstocks at the facility contains significant amounts of precious metals. For example, of the feed for the smelter blast furnance originating from outside the USMR facility, nearly two-thirds is shredded telephone scrap and electrical components which contain large amounts of precious metals.

Because USMR refines precious metals on a toll basis, and because feedstock materials are purchased based on precise assays of the materials, it is critical to the economic viability of the operation that no metal value be lost into the environment or elsewhere. Because of the very high values of precious metals (gold is worth more that 7,000 times an equivalent weight of copper) and because of the prevalence of precious metals throughout the facility, it is imperative that no material containing more than trace amounts of precious metals is discarded. As a result, no materials are discarded from the metallurgical processes. Even the smelter slag, which is nonhazardous under EPA's criteria, is sold as an abrasive to be used in sandblasting.

Although the nature of USMR's operation is such that no hazardous wastes are produced, certain materials collected in surface impoundments and baghouses may meet EPA's definition of sludge.

SURFACE IMPOUNDMENTS

There are five surface impoundments at USMR. Four hyperlon-lined lagoons are used to store acid solutions from the precious metals refinery. Filtrates from a number of hydrometallurgical refining processes are sent to these lagoons for storage where metals are then concentrated (through cementation and precipitation) and further processed. These acid solutions (known as the goldroom end filtrate) contain high concentrations of precious metals, particularly platinum, palladium and iridium. These acid solutions and solids which are formed in these lagoons are clearly part of the metal refining processes at USMR. However, a fifth surface impoundment may come under EPA's definition of wastewater or water supply treatment.

In 1977, USMR constructed a bentonite-lined reservoir to provide process water for the facility. The reservoir collects and stores rainwater runoff from the plant area as well as contact cooling water. Although treatment is not required for such noncontact cooling water, water being collected in the reservoir is subject to automatic pH adjustment by the addition of sodium carbonate to safeguard plant equipment should any acids reach the system. For the last two years, there has been no major introduction of acids into the system. Because of its limited use and chemical nature, there are no significant precipitates from the sodium carbonate. Solids which settle in the reservoir are continually processed through the facility.

While these solids are not produced by a "wastewater treatment plant" or a "water supply treatment plant," EPA may consider the materials to be "sludges." However, regardless of whether these materials are technically sludges, it is quite clear that, because of the precious metals content of such materials, they are never discarded and are not wastes.

The most recent assay of these reservoir solids indicated that the contained metal values are approximately $5,000 per ton. Considering the latest assay which indicated 5.72 ounces per ton of gold and 142.5 ounces per ton of silver, the reservoir solids at USMR are far richer than the ores of most producing gold and silver mines. As stated above, the nature of the precious metals aspect of USMR's operations is such that no significant source of precious metals can be discarded. Thus, the reservoir solids have never been and will not be discarded. Based upon the rationale presented by EPA in the context of electroplating sludges (45 FR at 74887), USMR's reservoir solids are not solid wastes and, therefore, not subject to regulation as a hazardous waste.

METALLIC OXIDES

Metallic oxides produced at USMR are sent overseas to facilities in the United Kingdom, Germany, and Belgium which recover specific metals. Of the some 20,000 tons produced annually, approximately 3,500 tons are immediately bagged upon collection and placed on pallets for shipment overseas in sea transport containers. The other metallic oxides are currently being pelletized upon collection and are stored in transport containers to prevent being windblown or otherwise contacting the ground.

Since the metallic oxides produced at USMR require no further processing to be used as feedstocks for metal recovery operations overseas, we understand that they probably will not be subject to regulation once EPA has officially revised its definition of solid waste. However, because the potential storage of these materials might subject USMR to RCRA permit requirements (metallic oxides are usually shipped within 60 days), it is essential that EPA officially recognize as soon as possible that these materials are not wastes.

The materials are further refined overseas because they are high in tin and zinc for which USMR does not have the refining capabilities. In addition, these metallic oxides contain significant amounts of precious metals. For example, of the approximately $40 million worth of contained metal values for one year's production of these oxides, approximately $15 million are attributable to gold, silver, platinum and palladium. USMR cannot afford to discard annually approximately $15 million worth of gold, silver, and other precious metals.

Therefore, by the rationale expressed by EPA in the November 12, 1980 Federal Register, we believe these materials, even if they are technically sludges, are not solid wastes. This would also be consistent with EPA's recent decision that the recycling of certain baghouse dusts do not warrant regulation. On August 6, 1981 (46 FR 40159), EPA excluded from listing as hazardous waste certain baghouse dusts from a secondary lead smelter. Where the secondary smelter first used a baghouse to remove dust and then used a venturi scrubber for the off-gases, EPA, in discussing whether the wastes were hazardous, only looked at the scrubber sludges. The obvious implication is that because the baghouse dusts were recycled, there was no need to consider whether they were hazardous or not.

SUMMARY

Although most of the materials produced at USMR (including goldroom end filtrate precipitates) are clearly part of USMR's

integrated metallurgical process, process water reservoir solids and metallic oxides collected in its smelter baghouses may be considered by EPA to be "sludges." Although we understand that these materials will most likely not be subject to regulation after EPA's definition of solid waste is revised, EPA may believe that these materials currently subject USMR to regulation. Because of the high precious metals content of these materials, and because USMR is a precious metals refinery, these materials are never discarded and should not be considered to be solid waste. In accordance with EPA's similar recognition concerning certain electroplating sludges, we request that EPA officially recognize that the process water reservoir solids and smelter metallic oxides at USMR are not solid wastes and are not subject to regulation under RCRA.

Sincerely,

Louis J. Marucheau

Louis J. Marucheau

LJM/bsm

United States Metals Refining Company
400 Middlesex Avenue, Carteret, New Jersey, 07008, Telephone: (201) 541-4141

file

February 17, 1981

Mr. Julio Morales-Sanchez
Permits Administration Branch
U. S. Environmental Protection Branch
Region II
26 Federal Plaza
New York, New York 10278

Dear Mr. Morales-Sanchez:

On Tuesday, February 17, 1981 Maryann Tascarelli of your office was contacted concerning the attached letter indicating non-compliance with notification requirements of the hazardous waste regulations.

Please be advised that we did notify and we did file Part A permit application by the required deadline. We filed under the following name and number:

NJD000526525
U. S. Metals Refining Company
400 Middlesex Ave.
Carteret, N. J. 07008

Please adjust your records accordingly.

If there are any additional questions, please contact me at (201) 541-4141.

Very truly yours,

Cathy Waxman

Cathy Waxman
Environmental Engineer

CW:oy
enc.

NJD000526525

U. S. Metals Refining Co.
400 Middlesex Ave.
Carteret, N. J. 07008

EPA ID #NJD000526525

ITEM X E.

NJ DEP State Permit Nos.

1. 30,332
2. 19,194
3. 32,140
4. 30,331
5. 19,451 - 19,452
6. 16,413 - 16,432
7. 12,994
8. 17,120
9. 44,542
10. 44,894
11. 46,097
12. 46,753
13. 3,205
14. 23,211
15. 32,307
16. 45,588

to be a "sludge" under the EPA definition. These materials, upon generation, are sent back to our Smelter facility to be incorporated along with other feed materials for recycling in the cupola blast furnace. These materials are placed in the receiving storage area of the Smelter for consumption, which does not constitute storage in that this "sludge" enters the feed stream for relatively immediate recycling. These materials when placed in the feed storage area, in our opinion, begin the process of recycling and are not subject to the regulations.

Very truly yours,

A. Filiaci

Anthony Filiaci
Director of Environmental Control

AF:oy
att.

USMR AMAX INC.

United States Metals Refining Company 400 Middlesex Avenue, Carteret, New Jersey, 07008, Telephone: (201) 541-4141

November 14, 1980

EPA - Region II
Information Service Center
26 Federal Plaza
New York, New York 10007

Gentlemen:

Our organization had been identified by EPA as one which may possibly handle hazardous waste. The attached Part A Application for a Hazardous Waste Permit is duly submitted according to regulations promulgated under the Resource Conservation and Recovery Act. Although we have filed the notification form, and are now filing Part A Application for a Hazardous Waste Permit, we are doing so despite the unreasonableness of the regulations in order to gain interim status and ensure our organizational viability. As we will explain in this letter, the bulk of our residuals are unnecessarily and unreasonably regulated.

U. S. Metals Refining Company is a secondary copper and precious metals smelting and refining facility. Our company is a major recycling facility and is vital to the principle of resource recovery! During the course of recycled refining, we generate thousands of tons of valuable by-products annually. These by-products, generated in the form of pelletized and bagged flue dust, contain gold, silver, copper, lead, tin, and zinc. This flue dust is then sold as feed material to other refineries for extraction of the aforementioned metals.

While we do not consider our flue dust residuals to be a "sludge" because they are not a "waste" as required by the definition of "sludge" at §260.10 (a) (63), we understand EPA may consider them to be a "sludge." Since we cannot honestly tell under EPA's regulations the status of our residuals due to the uncertainty and interpretation of the definition of "sludge," we have no alternative but to include our valuable by-products under the hazardous waste regulations.

Furthermore, we did not include in this Part A application our Selenium Plant sludge and Tough Pitch baghouse flue dust, which is considered

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

26 FEDERAL PLAZA

NEW YORK, NEW YORK 10278

February 9, 1981

NJD051303113

UNITED STATES METALS REF CO*

400 MIDDLESEX AVE

CARTERET NJ 07008

MAR 12 8 PM '81 ENVIRONMENTAL PROTECTION AGENCY NEW YORK, N.Y. 10004

Dear Sir:

The United States Environmental Protection Agency (EPA) regulates the handling of hazardous wastes under the Resource Conservation and Recovery Act (RCRA) 42 U.S.C. §6901 et seq. Under Section 3010 of RCRA, 42 U.S.C. §6930, parties handling certain quantities of hazardous wastes (these wastes are characterized and listed in regulations which were published in the Federal Register of May 19, 1980, 45 FR 33084 et seq. and July 16, 1980, 45 FR 47832 et seq.) are required to notify EPA of their activities. Facilities handling wastes defined by the May 19, 1980 regulations were required to notify by August 18, 1980. Facilities handling wastes defined by the July 16, 1980 regulations were required to notify by October 14, 1980. We have not yet received a notification from you or your company.

Section 3007 of RCRA, 42 U.S.C. §6927, allows EPA to request certain information of parties who handle hazardous wastes. Based upon information available to this Agency, we believe that you or your company handles such hazardous wastes. Therefore, in order to determine the extent of your hazardous waste activity, and to determine whether you should have notified EPA pursuant to §3010, we require that you answer the questions posed below. Your reply should be completed and signed by a responsible official of your firm and returned to us within 21 days of the date of this letter. If you have already notified EPA of your hazardous waste activity, please respond, indicating your prior notification and listing your EPA Identification Number, if available.

Please answer the following questions:

1) Do you handle any "hazardous wastes," as this term is defined in RCRA and the regulations promulgated under RCRA (regulations published in the Federal Register on May 19, 1980; July 16, 1980; October 30, 1980; November 12, 1980; November 17, 1980 and November 25, 1980)?

2) If you do handle such wastes, what is the greatest quantity of hazardous wastes that you handle in any one month?

3) If you do handle any hazardous wastes, please identify them by type, characteristics, components, or by the process that produces these wastes.

4) How do you handle these wastes (i.e. do you generate, transport, treat, store or dispose of them)?

Your response to this letter should be sent to:

Permits Administration Branch
U.S. Environmental Protection Branch
Region II
26 Federal Plaza
New York, New York 10278

Your failure to respond to this letter in a timely manner may subject you to the initiation of enforcement action under Section 3008 of RCRA, 42 U.S.C §6928. Such enforcement action may include the assessment of substantial penalties for continued non-compliance.

Your response to this letter does not constitute notification under RCRA. Such notification must be made by filling out EPA Form 8700-12. If you need this form, please request it with your response. If you have any questions on the contents of this letter or desire a notification package, please contact the EPA Permits Administration Branch of 26 Federal Plaza, New York, New York 10278. Telephone calls to (212) 264-7306 may be made between the hours of 10:00 a.m. to 12:00 p.m. and 1:00 p.m. to 3:00 p.m., Monday through Friday.

Sincerely yours,

Julio Morales-Sanchez
Director
Enforcement Division

337

PERMITS AND TECHNICAL BRANCH
REGION II
JUN 4 11 44 AM '81
ENVIRONMENTAL PROTECTION AGENCY
NEW YORK, N.Y. 10007

RCRA GENERATOR INSPECTION FORM

COMPANY NAME: US Metal Refining Company

EPA I.D. NUMBER: NJD000 5-2625

COMPANY ADDRESS: 400 Middlesex Ave Carteret

COMPANY CONTACT OR OFFICIAL: Cathy Waxman, Isaiah Alexander

INSPECTOR'S NAME: Bob Dante

TITLE: Environmental Engineer, Manager of Environmental Affairs

BRANCH/ORGANIZATION: NJDEP

CHECK IF FACILITY ~~IS~~ ALSO A TSD FACILITY ✓

DATE OF INSPECTION: 5/7/81

	YES	NO	DON'T KNOW
(1) Is there reason to believe that the facility has hazardous waste on site?	✓		

a. If yes, what leads you to believe it is hazardous waste? Check appropriate box:

- ✓ Company admits that its waste is hazardous during the inspection.
- ✓ Company admitted the waste is hazardous in its RCRA notification and/or Part A Permit Application.
- ☐ The waste material is listed in the regulations as a hazardous waste from a nonspecific source (§261.31)
- ✓ The waste material is listed in the regulations as a hazardous waste from a specific source (§261.32)
- ☐ The material or product is listed in the regulations as a discarded commercial chemical product (§261.33)
- ✓ EPA testing has shown characteristics of ignitability, corrosivity, reactivity or extraction procedure toxicity, or has revealed hazardous constituents (please attach analysis report)
- ☐ Company is unsure but there is reason to believe that waste materials are hazardous. (Explain)

	YES	NO	DON'T KNOW
b. Is there reason to believe that there are hazardous wastes on-site which the company claims are merely products or raw materials?	✓		

Please explain: By definition of waste the company feels the wastes are comercial products.

c. Identity the hazardous wastes that are on-site, and estimate approximate quantities of each.

cupola oxide - 800 Ton
converter residue - 40 Tons
Arc furnance oxide - 50 Tons

d. Describe the activities that result in the generation of hazardous waste. Smelting process material is smelted down and the heavy metals are captured as oxides in the Bag house

(2) Is hazardous waste stored on site?	✓		
a. What is the longest period that it has been accumulated? longer then 90 days gold room effluent sludge from process water resouvir → recyled at plant			
b. Is the date when drums were placed in storage marked on each drum?	NA		
(3) Has hazardous waste been shipped from this facility since November 19, 1980?	✓		

a. If "yes," approximately how many shipments were made?
converter residue 5 shipments
cupula and ~~Arc~~ Arc furnace oxides - 4 shipments

(4) Approximately how many hazardous waste shipments off site have been made since November 19, 1980?			
a. Does it appear from the available information that there is a manifest copy available for each hazardous waste shipment that has been made?		✓	

b. If "no" or "don't know," please elaborate.
The company feels that waste is not hazardous because it contains precious metals and is shipped to Europe for reclaimation.

	YES	NO	DON'T KNOW
c. Does each manifest (or a representative sample) have the following information?			
- a manifest document number	N/A	___	___
- the generator's name, mailing address, telephone number, and EPA identification number	N/A	___	___
- the name, and EPA identification number of each transporter	N/A	___	___
- the name, address and EPA identification number of the designated facility and an alternate facility, if any:	N/A	___	___
- a description of the wastes (DOT)	N/A	___	___
- the total quantity of each hazardous waste by units of weight or volume, and the type and number of containers as loaded into or onto the transport vehicle	N/A	___	___
- a certification that the materials are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation under regulations of the Department of Transportation and the EPA	N/A	___	___
(5) Were there any hazardous wastes stored on site at the time of the inspection? South end	✓	___	___
a. If "yes," do they appear properly packaged (if in containers) or, if in tanks, are the tanks secure?	___	✓	___
b. If not properly packaged or in secure tanks, please explain. The materials are stored in bags, oxides & residues Facility claims waste are not hazardous because they are being reclaimed nothing is discarded.			
c. Are containers clearly marked and labelled?	___	✓	___
d. Do any containers appear to be leaking?	___	✓	___
e. If "yes," approximately how many?			

*(6) Has the generator submitted an annual report to EPA covering the previous calendar year? NA ___ ___ ___

a. How do you know?

(7) Has the generator received signed copies (from the TSD facility) of all manifests for wastes shipped off site more than 35 days ago? NA ___ ___

a. If "no," have Exception Reports been submitted to EPA covering these shipments? NA ___ ___

(8) General comments.

The facility feels that waste is not hazardous the waste contains precious metals that are sent to Europe for reclaimation. The sludge is also recycled at the plant.

See attached letter

* The effective date for this requirement is March 1, 1982.

AMAX
ENVIRONMENTAL SERVICES, INC.
A SUBSIDIARY OF AMAX INC.

November 26, 1980

Dr. Ernest Regna
Chief
Solid Waste Branch
U.S. Environmental Protection Agency
Region II
26 Federal Plaza
New York, NY 10007

Dear Dr. Regna:

AMAX Environmental Services, Inc. provides guidance on environmental matters to facilities owned or operated by AMAX Inc. One of these facilities is a secondary copper smelter at Carteret, New Jersey which is owned and operated by United States Metals Refining Company (USMR) a wholly-owned subsidiary of AMAX Inc.

Baghouses at USMR collect approximately 17,000 tons of metallic oxides per year. These metallic oxides, which contain gold, silver, copper, lead, tin, and zinc, have metal values worth approximately $30 million. Due to their high metal values, these materials are sent overseas to facilities in the United Kingdom, Germany, and Belgium which process the materials to recover specific metals. Of the 17,000 tons, 4,000 are immediately bagged upon collection, then placed on pallets and put in sea transport cantainers for shipment overseas. The rest of the baghouse oxides are stored in bulk and are shipped overseas in bulk form.

While we clearly believe that the metallic oxides are not waste in any sense of the word, the language of the regulations and statements in preambles to the regulations have not made it entirely clear whether these materials might be subject to regulation under Subtitle C of the Resource Conservation and Recovery Act (RCRA). Because of these uncertainties, we recommended to USMR that it include these materials in its RCRA notification and Part A Application. To resolve these uncertainties as to whether these materials are considered by EPA to be "wastes" and thereby require a manifest to be shipped overseas, I contacted you by telephone on November 24, 1980, to ask your guidance. This letter is to confirm your response that the bagged and palletized oxides are not "solid waste" under RCRA and do not require a manifest for shipment overseas. During this conversation you also indicated that the baghouse oxides stored in bulk were likewise not a "solid waste" under RCRA.

4704 Harlan Street Denver, Colorado 80212 Telex 45-556 Telephone 303-433-6151

Based on your guidance, we will continue to treat these materials as one of our products and not as a "solid waste" which would be subject to the hazardous waste regulations under RCRA. As a member of industry faced with implementation of an extremely complex set of regulations I would like to express my appreciation for your assistance. If you have any further questions, please contact me at (303) 433-6151, ext. 263 or A. Filiaci at (201) 541-4141.

Sincerely yours,

Louis J. Marucheau

Louis J. Marucheau
Environmental Attorney

LJM:mpa
cc: A. Filiaci

RCRA TREATMENT, STORAGE AND DISPOSAL FACILITY INSPECTION FORM
FOR TSD FACILITIES ONLY

COMPANY NAME: US metal Refining Company
EPA I.D. Number: NJD0005 26525
COMPANY ADDRESS: 400 Middlesex Ave Carteret
COMPANY CONTACT OR OFFICIAL: Cathy Waxman, Isaiah Alexander
TITLE: Environmental Engineer, Manager of Environmental affairs
OTHER ENVIRONMENTAL PERMITS HELD BY FACILITY: [✓] NPDES [✓] AIR [ ] OTHER
INSPECTOR'S NAME: Bob Dante
DATE OF INSPECTION: 5/7/81
BRANCH/ORGANIZATION: NJDEP
TIME OF DAY INSPECTION TOOK PLACE: 9:30

(1) Is there reason to believe that the facility has hazardous waste on site?

a. If yes, what leads you to believe it is hazardous waste? Check appropriate box:

[✓] Company admits that its waste is hazardous during the inspection.

[✓] Company admitted the waste is hazardous in its RCRA notification and/or Part A Permit Application.

[ ] The waste material is listed in the regulations as a hazardous waste from a nonspecific source (§261.31)

[✓] The waste material is listed in the regulations as a hazardous waste from a specific source (§261.32)

[ ] The material or product is listed in the regulations as a discarded commercial chemical product (§261.33)

[✓] EPA testing has shown characteristics of ignitability, corrosivity, reactivity or extraction procedure toxicity, or has revealed hazardous constituents (please attach analysis report)

[ ] Company is unsure but there is reason to believe that waste materials are hazardous. (Explain)

	YES	NO	DON'T KNOW
b. Is there reason to believe that there are hazardous wastes on-site which the company claims are merely products or raw materials?	✓		

Please explain: By definition of waste the company feels the wastes are commercial by products

VISUAL OBSERVATIONS

	YES	NO	DON'T KNOW
(5) SITE SECURITY (§265.14)			
a. Is there a 24-hour surveillance system?	✓		
b. Is there a suitable barrier which completely surrounds the active portion of the facility?	yes		
c. Are there "Danger-Unauthorized Personnel Keep Out" signs posted at each entrance to the facility?		✓	
(6) Are there ignitable, reactive or incompatible wastes on site? (§265.27)		✓	
a. If "YES", what are the approximate quantities?			
b. If "YES", have precautions been taken to prevent accidential ignition or reaction of ignitable or reactive waste?	NA		
c. If "YES", explain			
d. In your opinion, are proper precautions taken so that these wastes do not:			
- generate extreme heat or pressure, fire or explosion, or violent reaction?	NA		
- produce uncontrolled toxic mists, fumes, dusts, or gases in sufficent quantities to threaten human health?	NA		
- produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions?	NA		
- damage the structural integrity of the device or facility containing the waste?	NA		
- threaten human health or the environment?	NA		

Please explain your answers, and comment if necessary.

e. Are there any additional precautions which you would recommend to improve hazardous waste handling procedures at the facility?

(7) Does the facility comply with preparedness and

	YES	NO	DON'T KNOW
- an internal communications or alarm system?	✓		
- a telephone or other device to summon emergency assistance from local authorities?	✓		
- portable fire equipment?	✓		
- adequate aisle space?	NA		
- in your opinion, do the types of wastes on site require all of the above procedures, or are some not needed? Explain. The wastes are non reactive		✓	

In your opinion, do the types of wastes on site require all of the above procedures, or are some not needed? Explain. see above

*(8) Have you inspected to verify that the groundwater monitoring wells (if any) mentioned in the facility's groundwater monitoring plan (see no. 19 below) are properly installed?	NA		
If you have, please comment, as appropriate.			
(9) a. Is there any reason to believe that groundwater contamination already exists from this facility? If "YES", explain.		✓	
b. Do you believe that operation of this facility may affect groundwater quality?		✓	
c. If "YES", explain.			

RECORDS INSPECTION

(10) Has the facility received hazardous waste from an off-site source since Nov. 19, 1980 (effective date of the regulations)? only generates waste		✓	
a. If "YES", does it appear that the facility has a copy of a manifest for each hazardous waste load received?	NA		

	YES	NO	KNOW
- the generator's name, mailing address, telephone number, and EPA identification number	NA		
- the name, and EPA identification number of each transporter	NA		
- the name, address and EPA identification number of the designated facility and an alternate facility, if any;	NA		
- a DOT description of the wastes	NA		
- the total quantity of each hazardous waste by units of weight or volume, and the type and number of containers as loaded into or onto the transport vehicle	NA		
- a certification that the materials are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation under regulations of the Department of Transportation and the EPA	NA		
d. Are there any indications that unmanifested hazardous wastes have been received since November 19, 1980? If YES, explain.	NA		
(11) Does the facility have a written waste analysis plan specifying test methods, sampling methods and sampling frequency? (§265.13) They sample daily ~~[illegible]~~ but do not have a plan		✓	
a. Does the character of wastes handled at the facility change from day to day, week to week, etc., thus requiring frequent testing? (You may check more than one) Waste characteristics vary ____ All wastes are basically the same ✓ Company treats all waste as hazardous ____ Don't Know ____			
b. Does hazardous waste come to this facility from off-site sources?		✓	
c. If waste comes from an off-site source, are there procedures in the plan to insure that wastes received conform to the accompanying manifest?	NA		
(12) INSPECTIONS (§265.15)			
a. Does the facility have a written inspection schedule?		✓	

DON'T

(13) PERSONNEL TRAINING (§265.16)

a. Is there written documentation of the following:

- job title for each position at the facility related to hazardous waste management and the name of the employee filling each job? ✓ ___ ___
- type and amount of training to be given to personnel in jobs related to hazardous waste management? ✓ ___ ___
- actual training or experience received by personnel? ✓ ___ ___

(14) Does the facility have a written contingency plan for emergency procedures designed to deal with fires, explosion or any unplanned release of hazardous waste? (§265.51) ✓ ___ ___

a. Does the plan describe arrangements made with local authorities? ✓ ___ ___

b. Has the contingency plan been submitted to local authorities? ✓ ___ ___

How do you know? Company Told us ~~also~~ plans have been sent to state and coast guard

c. Does the plan list names, addresses, and phone numbers of Emergency Coordinators? ✓ ___ ___

d. Does the plan have a list of what emergency equipment is available? ✓ ___ ___

e. Is there a provision for evacuating facility personnel? ___ ✓ ___

f. Was an Emergency Coordinator present or on call at the time of the inspection? ✓ ___ ___

(15) Does the owner/operator keep a written operating record with: (§265.73)

- a description of wastes received with methods and dates of treatment, storage or disposal? NA ___ ___
- location and quantity of each waste? ___ ✓ ___
- detailed records and results of waste analysis and treatability tests performed on wastes coming into the facility? does not receive waste NA ___ ___
- detailed operating summary reports and description

DON'T

- an estimate of the maximum inventory of wastes in storage or treatment at any time during the life of the facility? N/A

- a description of the steps necessary to decontaminate facility equipment during closure? N/A

- a schedule for final closure including the anticipated date when wastes will no longer be received and when final closure will be completed?

b. What is the anticipated date for final closure?

†c. Does the owner/operator have a written post-closure plan identifying the activities which will be carried on after closure and the frequency of these activities? N/A

d. Does the written post-closure plan include:

- a description of planned groundwater monitoring activities and their frequencies during post-closure?

- a description of planned maintenance activities and frequencies to ensure integrity of final cover during post-closure?

- the name, address and phone number of a person or office to contact during post-closure?

*(17) Does the owner/operator have a written estimate of the cost of closing the facility? (§265.142) What is it? N/A

*(18) Does the owner/operator have a written estimate of the cost for post-closure monitoring and maintenance? N/A
What is it? (§265.144) N/A

*(19) Has a groundwater monitoring plan been submitted to the Regional Administrator for facilities containing a surface impoundment, landfill or land treatment process? (This requirement does not apply to recycling facilities.) (§265.90)

a. Does the plan indicate that at least one monitoring well has been installed hydraulically upgradient from the limit of the waste mangement area?

b. Does the plan indicate that there are at least three monitoring wells installed hydraulically downgradient

SITE-SPECIFIC

Please circle all appropriate activities and answer questions on indicated pages for all activities circled. When you submit your report, include only those site-specific pages that you have used.

STORAGE	TREATMENT	DISPOSAL
Waste Pile p. 9	Tank p. 8	Landfill pp. 10-11
Surface Impoundment p. 8	Surface Impoundment pp. 8-9	Land Treatment pp. 9, 10
Container p. 7	Incineration pp. 12-13	Surface Impoundment p. 8
Tank, above ground p. 8	Thermal Treatment pp. 12-13	Other _____
Tank, below ground p. 8	Land Treatment pp. 9-10	
Other waste is bagged and put on pallets Converter residue	Chemical, Physical and Biological Treatment (other than in tanks, surface impoundment or land treatment facilities) p. 13	
	Other pyro metalergical process	

CONTAINERS (§265.170)

	YES	NO	DON'T KNOW
1. Are there any leaking containers? If "YES", explain.	___	___	___
2. Are there any containers which appear in danger of leaking? If "YES", explain.	___	___	___
3. Do wastes appear compatible with container materials?	___	___	___
4. Are all containers closed except those in use?	___	___	___
5. Do containers appear to be opened, handled or stored in a manner which may rupture the containers or cause them to leak?	___	___	___

6. How often does the plant manager claim to inspect container storage areas?

TANKS (§265.190)	YES	NO	DON'T KNOW
1. Are there any leaking tanks? If "YES", explain.	___	___	___
2. Are there any tanks which appear in danger of leaking. If "YES", explain.	___	___	___
3. Are wastes or treatment reagents being placed in tanks which could cause them to rupture, leak, corrode or otherwise fail? If "YES", explain.	___	___	___
4. Do uncovered tanks have at least 2 feet of freeboard or an adequate containment structure?	___	___	___
5. Where hazardous waste is continuously fed into a tank, is the tank equipped with a means to stop this inflow?	___	___	___
6. Does it appear that incompatible wastes are being stored in close proximity to one another, or in the same tank? If "YES", explain.	___	___	___
7. How often does the plant manager claim to inspect container storage areas?			
8. Are ignitable or reactive wastes stored in a manner which protects them from a source of ignition or reaction? If "YES", explain.	___	___	___
9. What is the approximate number and size of tanks containing hazardous wastes?			

SURFACE IMPOUNDMENTS (§265.220)			
1. Is there at least 2 feet of freeboard in the impoundment?	___	___	___
2. Do all earthen dikes have a protective cover to preserve their structural integrity? If "YES", specify type of covering.	___	___	___

4. Are ignitable or reactive wastes being placed in surface impoundments without being treated to remove these characteristics? If "YES", explain. ___ ___ ___

5. Are there any leaks, failures or is there any deteriorization in the impoundments? If "YES", explain. ___ ___ ___

6. Give the approximate size of surface impoundments (gallons or cubic feet).

WASTE PILES (§265.250)

1. Is the waste pile protected from wind erosion? not at this time ~~[illegible]~~ ✓ ___

   a. Does it appear to need such protection? ✓ ___ ___

   b. Explain what type of protection exists. central runoff catch basin = catches runoff in the water process resouvir.

2. Does it appear that incompatible wastes are being stored in the same waste pile? If "YES", explain. ___ ✓ ___

3. Is leachate run-off from a pile a hazardous waste? If "YES", explain this determination and answer (a) and (b) below. ✓ ___ ___

   a. Is the pile placed on an impermeable base that is compatible with the waste? ✓ ___ ___

   b. Is the pile protected from precipitation and run-on? ✓ ___ ___

4. In your judgment, are ignitable or reactive wastes managed in such a way that they are protected from any material or conditions which may cause them to ignite? Please explain or indicate if no such wastes are present. no wastes present NA ___ ___

   Are they placed on an existing pile so that they no longer meet the definition of ignitable or reactive waste? Please explain. NA ___ ___

*2. Is run-on diverted away from the active portions of the land treatment facility? ___ ___ ___

*3. Is run-off collected? ___ ___ ___

4. Are food chain crops being grown on the facility property? ___ ___ ___

a. If "YES", can the facility operator document that arsenic, lead and mercury:

- will not be transferred to the crop or ingested by food chain animals or ___ ___ ___

- will not occur in greater concentrations in the crops grown on the land treatment facility than in the same crops grown on untreated soils. ___ ___ ___

b. Has notification of the growing of the food chain crops been made to the Regional Administrator? ___ ___ ___

5. Is there a written and implemented plan for unsaturated zone monitoring? ___ ___ ___

6. Are there records of the application dates, application rates, quantities and location of each hazardous waste placed in the facility? ___ ___ ___

7. Do the closure and post-closure plans address:

a. control of migration of hazardous wastes into the groundwater? ___ ___ ___

b. control of run-off, release of airborne particulate contaminants? ___ ___ ___

c. compliance with requirements for the growth of food-chain crops (if they are present)? ___ ___ ___

8. Is ignitable or reactive waste immediately incorporated into the soil so the resulting waste no longer meets that definition? If "YES", explain. ___ ___ ___

9. Are incompatible wastes placed in the same land treatment area? If "YES", explain. ___ ___ ___

10. What is the area of the land receiving hazardous waste treatment? ___ ___ ___

~~CHAIN OF CUSTODY RECORD~~

RECEIPT FOR SAMPLE

ENVIRONMENTAL PROTECTION AGENCY – REGION II
SURVEILLANCE & ANALYSIS DIVISION
EDISON, NEW JERSEY 08817

Name of Unit and Address: U.S.M.R.
400 MIDDLESEX AVE.
CARTERET, N.J.

Sample Number	Number of Containers	Description of Samples
62714	1	plastic jar of Reservoir influent
↓	1	" " " " sludge
62717	1	P.M lagoon
	1	Conversion baghouse Residue

FOR E.P. TOXICITY ANALYSIS
5-4-82

Person Assuming Responsibility for Sample: | Time | Date

Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody

Page No.

CHAIN OF CUSTODY RECORD

RECEIPT FOR SAMPLE

ENVIRONMENTAL PROTECTION AGENCY – REGION II
SURVEILLANCE & ANALYSIS DIVISION
EDISON, NEW JERSEY 08817

Name of Unit and Address:
U.S.M.R.
400 MIDDLESEX AVE.
CARTERET, N.J.

Sample Number	Number of Containers	Description of Samples
62714	1	plastic jar of Reservoir influent
↓	1	" " " sludge
	1	P.M. Lagoon
62717	1	Conversion Baghouse Residue
		FOR E.P. TOXICITY ANALYSES 5-4-82
		[illegible signature]

Person Assuming Responsibility for Sample:	Time	Date

Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody

Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody

Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody

Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody

CHAIN OF CUSTODY RECORD

RECEIPT FOR SAMPLE

ENVIRONMENTAL PROTECTION AGENCY – REGION II
SURVEILLANCE & ANALYSIS DIVISION
EDISON, NEW JERSEY 08817

Name of Unit and Address: U.S.M.R.
400 MIDDLESEX AVE.
CARTERET, N.J.

Sample Number	Number of Containers	Description of Samples
62714	1	plastic jar of Reservoir influent
↓	1	" " " " sludge
62717	1	P.M lagoon
	1	Conversion baghouse Residue

FOR E.P TOXICITY ANALYSIS
5-4-82

Person Assuming Responsibility for Sample: | Time | Date

Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody